

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In re:	:	CHAPTER 11
	:	
STEPHEN TODD WALKER,	:	
	:	Case No. 20-13557 (ELF)
	:	
Debtor.	:	
	:	

**NOTICE OF MOTION, RESPONSE DEADLINE AND HEARING DATE
PURSUANT TO BANKRUPTCY RULES 6004 AND 2002(c)(1)**

Stephen Todd Walker (the “Debtor”), has filed a Debtor’s Combined Motion (1) Pursuant To Sections 105 And 363 Of The Bankruptcy Code (A) Approving An Asset Sale Agreement And Authorizing The Sale Of The Debtor’s Property Located At 1150 Youngsford Road, Gladwyne, Pa Outside The Ordinary Course Of Business, (B) Authorizing The Sale Of Said Property Free And Clear Of All Liens, Claims, Encumbrances And Interests, (2) Partially Avoiding A Certain Judicial Lien On The Basis That It Impairs The Debtor’s Exemptions Under 522(f)(1)(A) Of The Bankruptcy Code, (3) Determining That A Tax Lien Is Fully Unsecured Under 506(b) Of The Bankruptcy Code; (4) Avoiding A So-Called Equitable Mortgage Under Bankruptcy Code Sections 363, 522, 544 And 551; And (5) Allowing And Paying A Claim Under 506(c) Of The Bankruptcy Code For Preserving And Disposing Of Property Of The Estate (the “Motion”) with the Court seeking authorization for the sale of certain the real property and improvements located at 1150 Youngsford Road, Gladwyne, PA 19035 (the “Property”).

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult an attorney).

1. Sale Transaction Generally. Pursuant to the Motion, the Debtor is seeking to sell the Property to David and Kathryn Mullaney, an unrelated third party (the “Purchaser”).

2. Assets Being Sold. The Property, which consists of an unfinished house, which consists of 8,317 square feet, with six bedrooms, six full baths and 2 half baths and is situated on 1.58 acres. While the exterior of the house is completed, beyond the interior being framed, the interior is an uncompleted shell.

3. Sale Terms and Conditions. The salient terms of the sale are as follows:

(a) the Debtor will convey the Property fee and clear of all existing liens, claims, encumbrances and interests, with the liens attaching the net sale proceeds in their relative order of priority.

(b) the consideration for the Property is \$1,700,000, subject to bankruptcy court approval.

(c) the Debtor and Purchaser each are responsible for the fees and costs customarily borne by a seller or buyer in a Pennsylvania residential real estate transaction.

(d) "Closing" of the transaction will occur within 30 days of the Bankruptcy Court's approval of the Motion.

4. **Time Fixed for Filing Objections.** Any party receiving this Notice may file an answer objection or other responsive pleading to the Motion with the Clerk of the United States Bankruptcy Court for the Eastern District of Pennsylvania, 900 Market Street, Suite 400, Philadelphia, PA 19107 on or before **December 16, 2020**. A copy of any answer, objection, or other responsive pleading filed with respect to the Motion must also be served upon Debtor's counsel as identified and at the address set forth below.

5. **Sale Hearing.** A hearing on the Motion is scheduled to be held before the Honorable Eric L. Frank on **January 6, 2021 at 11:00 a.m.** Eastern Standard Time either telephonically, video conference or physically in Courtroom 1 at the United States Bankruptcy Court for the Eastern District of Pennsylvania, 900 Market Street, Philadelphia, PA 19107. Unless the Court rules otherwise, the hearing on this contested matter will be an evidentiary hearing at which witnesses may testify with respect to disputed material factual issues in the manner directed by Fed. R. Bankr. P. 9014(d).

6. If you or your attorney do not take the steps described in paragraph (4) above and attend the hearing described in paragraph (5) above, the court may enter an order granting the relief requested in the Motion.

7. If a copy of the motion is not enclosed, a copy of the Motion will be provided to you if you request a copy from the attorney signing below.

8. In the absence of any answer, objection responsive pleading or request for hearing, Debtor's counsel will certify same to the Court and request that an Order be entered granting the Motion.

9. You may contact the Bankruptcy Clerk's office at 215-408-2800 to find out whether the hearing has been cancelled because no one filed an answer.

SMITH KANE HOLMAN, LLC

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